Sectt. II-27—15,004—22-8-46.

Revenue (1946) Department

173. SERIAL

G.O. NO. 2450

Dated 31st October 1946.

Despatch Abstract.

Alienation - Land and Revenue - (Bellary). - Bellary taluk and town - T.S. Nos. 171/2 and 193/1 - Site for the Cricket and Hockey ground - District Atheletic Association, Bellary - Sanctioned.

Revenue Department.

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Subject.

ALIENATION - Land and Revenue - (Bellary District) - Bellary Taluk and town - T.S. Nos. 171/2 and 192/1 - Site for the Cricket and Hockey ground - Application from the District Athletic Association, Bellary - Proposals - Recommended.

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Reference E No. 1150/46-4

Station: Madras dated 15-10-46.

From

Ramakrishnan, Esq., I.C.S.,
Joint Secretary, Board of Revenue.

To

W. Scott Brown, Esq., C.S.I., C.I.E., I.C.S.,
Commissioner of Land Revenue and Commercial Tax

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READ:

I

Collector of Bellary, letter No. C 7765/45 A2
dated 9-4-46.

II

Collector of Bellary, Letter No. C 7765/45 A2
dated 17-8-46.

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Ref:-E. No. 1150/45-1 dated 19-4-46 from the Board of Revenue.

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I enclose a copy of the resolution of the Bellary District Athletic Association agreeing to abide by the conditions of the alienation that may be imposed at the time of final sanction of alienation.

2. The plot alienated in favour of the Bellary District Athletic Association, in B.P. Mis. No. 500 dated 2-4-46 is being used mainly as a foot ball field. This is the only association in this district which is taking a genuine interest in the organisation and promotion of sporting activities. Unless adequate facilities are afforded it may not be possible to achieve its effects. A separate ground for hockey and cricket is a real necessity. The Association is experiencing great difficulty and inconvenience while conducting the foot ball and hockey tournaments on the same dates. Further the Association is eager to improve the land and make it fit for the purpose. It has also set apart a sum of Rs. 500/- towards the improvement of this ground. In these circumstances, I consider the proposals as urgent and request that necessary orders sanctioning the alienation may be passed and pending final orders permission may be accorded to the Secretary of the Association to enter upon the land for making necessary improvements. As the object of the Association is to serve the interest of the sports clubs, and athletics in the district, which is only a non-remunerative public purpose. I recommend the alienation free of market value and the assessment or groundrent on it.

3. The land applied for is situated in the fort area and is near dwelling houses. The market value of the occupancy right is fixed at Rs. 3,345-2-0 at Re. 0-2-0 per square yard, which is reasonable. The land carries a ground rent of Rs. 69-2-0 at Rs. 12-8-0 per acre. The land is not vested in the Bellary Municipality and it has no objection for the alienation. A notice was published in the town but no objection was received. A sum of Rs. 50-10-0 being the tree value has been credited into the treasury in chalan No. 381 dated 26-6-46.

4. A topographical sketch, alienation proposals in the prescribed form and a copy of the general and special

and special conditions that can be imposed are enclosed.

III. Collector of Bellary, No. C 7765/45 A2 d/ 29-9-46.

REFERENCE.

At the instance of the Collector of Bellary the Board recommends the alienation of the plot of land comprised in T.S. Nos. 171/2 and 191/2 of Bellary Taluk and town measuring Acs. 473.9 plus 0.79 i.e. 5.52.9 acres in favour of the President, District Athelotic Association, Bellary for the use as the site for Hockey and cricket ground.

2. The alination will be free of charge for the occupancy right and free of ground rent but subject to the following conditions to which the alienee has agreed:-

(1) the land shall be used as the site of Hockey and cricket ground and for ~~other~~ other purpose.

(2) The pavilion and other structures necessary for a sports ground shall be constructed within period of two years from the date of the grant.

(3) No buildings other than the pavilion and these structures necessary for a sportsground shall be constructed on the land without previous permission of the Collector of the district.

The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land, the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or aby officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

he Government may resume the land wholly or in part with any buildings thereon if/the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, which ever may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be in contravention of condition (3

(c) 5. In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or forks works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government ~~in respect~~ for the grant of the value of the land at the time of relinquishment whichever may be less.

(7) Full land revenue shall be levied if at any time by net income is derived from the land or any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(8) The Government reserve to themselves the right to all sandal-wood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Govern ent shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alience shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(9) The alience shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(10) The alience shall take the steps to see that th marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(11) In the event of the infringement of or failure to observe any of the conditions (8) to (10) the alience shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alience shall not be entitled to any compensation whatever.

The Board submits that as the alienation proposals are complete there is no need to accord permission to the Secretary, District Athletic Association to enter upon the land in question for making necessary improvements in anticipation of final sanction.

15/XII

FOR JOINT SECRETARY.

PBS 15/10

To The Secretary to Government, Revenue Department with alienation statements and sketch to be returned.

Appendix XXVIII (S.O. No. 24 para 9)

Application for the alienation of land revenue payable to the Government.

District: Bellary.

1. Description and area		T.S. No. 172/2 and 192/1 of Bellary town in Bellary taluk measuring 4.73.9 plus 0.79 i.e., 5.52.9 acres.
2. Value	Ground rent.	Rs. 69-2-0 at Rs. 12-8-0 per acre
	Capitalized value (25 times the groundrent)	Rs. 1,728-2-0
3. Aliences and purpose of alienation		President, Bellary Dt. Athletic Association, Bellary. Hockey and cricket ground.
4. Collector's remarks.		As the site will be used for a non-remunerative public purpose, the land revenue payable to the Govern- may be alienated.

Sd./ K.V. Anantaraman,
Collector.

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...orial as such.

1/10/36

Rev. Sectt. 23—3,006—23-12-36.

GOVERNMENT OF MADRAS.

Received _____ 193 Registered _____ 193

Appendix XXVIII (S.O. No. 24 para 9)

Application for the alienation of land in which the proprietary right belongs to the State

District: Bellary.

1. Description and area.	T.S. No. 171/2 and 192/1 of Bellary town in Bellary taluk measuring 4.73.9 plus 0.79 i.e., 5.52.9
2. Market Value.	Rs. 3345-2-0 at Re.1-8-0 per square yard.
3. Alienee and purpose of alienation.	President, Bellary Dt. Athletic Association, Bellary. Hockey and cricket ground.
4. Collector's remarks.	There is no objection for the ~~xix~~ alienation of the land to the alinee for the purpose. As the site will be used for a non-remunerative public purpose, it may be alienated free of market value.

Sd- K.S. Anantaraman,
Collector.

19/10

/True copy/

for Joint Secretary

the president, District Athletic Association, Bellary for the use as the site for Hockey and cricket ground.

2. The alienation will be free of charge for the occupancy right and ~~must~~ rent but ... it to the ~~Athletic~~ ~~Association~~ ~~Association~~

Bellary, and submit complete alienation proposals.

3) I therefore request that necessary permission may be granted to the President, Bellary District Athletic Association, for entering upon the land pending sanction of the alienation proposals.

Syed Nallud
FOR COLLECTOR. Tour

SNR. 10.4.

pl. items v Obl.
sketch put up for
sanction as such
me
31/10/46

Rev. Sectt. 23—3,006—23-12-36.

GOVERNMENT OF MADRAS.

Received _____ 193 *Registered* _____ 193

G. No. 5-665-F/46

Abstract.

A.M.
31/X

REVENUE DEPARTMENT.

G.O. No. Ms. 2450 **Dated the** 31.X.46

READ the following:

From the Board of R. —, Rc. G. No. 1150/46-4
15/10/1946.

ORDER—

The Government sanction the alienation of the plot of land Comprised in S. Nos. 171/2 (Ac 4-7.3 G. Ps.) and 191/2 (Ac 0-77 G. Ps.) of [illegible] measuring ~~Acs.~~ Ac. 5-52.1 G. Ps. in favour of the President, District Board, Adoni Division, Bellary for the use as the site for Hockey and Cricket ground.

2. The alienation will be free of charge for the occupancy right and [illegible] to the [illegible]
~~[illegible]~~

~~but subject to the following conditions:—~~

(1) The land shall be used as the site of Hockey and Field ... and for no other purpose.

~~and for no other purpose.~~

~~The buildings shall be constructed within — from the date of the grant.~~

... pavilion and other ... shall be ... within ... boards given shall be ... date ... of two types ... date ... two ... pavilion and those structures necessary for a sports ... shall be ... erected on the land without ... permission ... of the Council to the ... of ...

(4)

(4) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land the Government may direct the grantee to remove them.

(5) The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less.

~~In the event of resumption under condition~~ if there are buildings on the land, the Government may, at their option, either—

(*a*) purchase the buildings, or

(*b*) direct the grantee to remove the buildings;

In the event of the resumption of the land followed by the purchase of the buildings under condition ~~(a)~~ or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed (the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with) the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

In the event of the grantee refusing to remove the buildings, when so directed under condition ~~(b)~~ the Government may remove them and realize the cost of the removal by the sale of the materials.

(6) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee ~~(and)~~ the grantee shall ~~not~~ be entitled to the repayment of any amount that may have been paid to the Government for the grant.

(7) All land revenue shall be levied if at any time any net income is derived from the land or a portion of the alienation or letting. In the latter case, the land revenue shall be [illegible] from date of the letting. The decision of the Collector or the question whether any income is derived from the land or not shall be [illegible]

8) [illegible] to the right in all sandalwood trees [illegible] not less than at the time of [illegible] on the land [illegible]

~~but subject to the following conditions:—~~

(1) The land shall be used as the site of Hockey and Netball pitches and for no other purpose.

~~and for no other purpose.~~

~~The buildings shall be constructed within — — — — from the date of the grant.~~

(2) The pavilion and other buildings to be constructed on the sports ground shall be confined to the area of two pitches to the east of the line

(3) No buildings other than the pavilion and those structures necessary for a sports ground shall be erected on the land without prior permission in writing of the Council.

1 Hut

(4) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land the Government may direct the grantee to remove them

(5) The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less.

~~In the event of resumption under condition~~ if there are buildings on the land, the Government may, at their option, either—

(a) purchase the buildings, or

(b) direct the grantee to remove the buildings.

In the event of the resumption of the land followed by the purchase of the buildings under condition or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed (the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with) the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The [illegible] or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be in excess of [illegible] (3).

In the event of the grantee refusing to remove the buildings, when so directed under condition the Government may remove them and realize the cost of the removal by the sale of the materials.

(6) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant of the value of the land at the time of relinquishment whichever may be less

(7) Full land revenue shall be levied if at any time any net income is derived from the land or of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(8) The Government reserve to themselves the right to all sandalwood trees and their branches and roots that exist at the time of alienation as well as all those which may grow subsequently on the land and the Government

shall be at liberty to cut or dig out any such trees or their roots and branches from the land or to dispose of them at their pleasure. The alienee shall not be entitled to cut or remove timber or cause them to be cut or removed without the permission of the Collector of the district.

(9) The alienee shall take all reasonable measures to the satisfaction of the Collector for the protection of the land against fire. Theft or damage and for the careful protection of the immature trees on the land.

(10) The reserve shall include the right to the Government or any person or persons authorised by the Government from time to time to enter upon the land and search for minerals and to work and remove the same.

(11) In the event of the alienee failing to comply with any of the conditions (3) to (10) the alienee shall be liable to such penalty as may be imposed by the Land Act for the time being in force or to the cancellation of the alienation or both at the discretion of the Minister and the alienee shall not be entitled to any compensation whatever.

3! If the agree with the Bd of Rev that there is no objection to permission to the Director, Dept of Agriculture to enter upon the land for the purpose of inspecting the trees

18/10/46 & 15.10.46

ASST. SECRETARY TO GOVERNMENT 22 OCT 1946 EDUCATION AND PUBLIC HEALTH DEPT. 6338

Note. - May be sent to Finance for acceptance.

19.10.46 & 15.10.46

E & P H.

Finance

Edn and P.H. Dept

May be accepted and remitted to Edn & P.H. Dept

May 22/10/46.

Finance (Accts. A) 5

The draft order on pages 1-4 above may be accepted and the case returned to Rev.

KRV
29.10.46 Rev.

PV
28/X/46

Fin no 57765 AA-1
29.10.46

Revenue Dept

To w.s.

ASSISTANT SECRETARY TO GOVERNMENT
5944F
30 OCT 1946
RELEASE DEPARTMENT

The draft order may now issue.

30/10/46. 30.10.46

31/10/46

30.10.46